

Exhibit A

NEW YORK
COUNTY CLERK'S OFFICE

MAY 18 2018

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

NOT COMPARED
WITH COPY FILE

Yury Mosha,

Plaintiff,

-against-

Yandex, Inc.,

Defendant.

SUMMONS

INDEX No.: 100 657/18

Date Index Number purchased

05/18/2018

TO THE ABOVE NAMED DEFENDANT:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the Complaint of the Plaintiff herein and to serve a copy of your Answer on the Plaintiff at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not personally delivered to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the Complaint.

Dated: 05/10/2018


Yury Mosha

Plaintiff's business premises are located at:
85 Broad Street, New York, 10004.
Phone: (646) 4770500
yurymosha@gmail.com

Defendant Yandex, Inc.'s address: 38R Merrimac Street, Suite 201, Newburyport, MA 01950, USA

New York County is designated by Plaintiff as the place of trial.
Venue is based on Plaintiff's residence.

NEW YORK
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-----X
YURY MOSHA,

INDEX NO: 100657/18

Plaintiff,

v.

COMPLAINT

Yandex, Inc.

Defendant.

-----X

Plaintiff, Yury Mosha, alleges the following in his Complaint against Defendant in this action:

Introduction

1. This is an action in causing damages to Plaintiff and wounding his reputation in the business community by negligence and ignorance of defamatory, false and humiliating information about the Plaintiff, which is researchable by Defendant's search engine Yandex.ru. The Defendant was asked to stop giving such information through its search engine as violating Yandex's policy and US laws. But Defendant failed to do so. Therefore, Plaintiff seeks by way of relief an injunction.

Parties

2. Plaintiff YURY MOSHA is an individual and his business premises are now, and at all times mentioned in this complaint was located at 85 Broad Street, New York, 10004.

3. Defendant Yandex Inc. is a responsible representative

branch of Yandex multinational corporation specializing in Internet-related services and products, located at 38R Merrimac Street, Suite 201, Newburyport, MA 01950, USA. Defendant ignored Plaintiff's requests to remove from Yandex Search results the links, containing false and defamatory information about Plaintiff and his business, and Plaintiff therefore sues Defendant.

Jurisdiction And Venue

4. This Court has subject matter jurisdiction over this action pursuant to Section 301 of the CPLR.

5. Venue is appropriate pursuant to Section 503 of the CPLR because Plaintiff is domiciled in New York and his business premises are in New York County.

Facts

6. The Plaintiff found out that Yandex.ru Search engine shows the information and links to resources/webpages about Plaintiff and his business, distributed by different people with violations of US laws and Yandex policy. These resources/webpages contain humiliating words, false opinions and defamatory allegations that were not confirmed by a court decision or other authorized bodies, and therefore are prohibited by law.

Below is the list of such resources/webpages, which Plaintiff asked the Defendant to remove from Yandex search results:

https://vk.com/topic-20420_31213778?post=100522

<http://rus017.livejournal.com/53881.html>

<http://newtimes.ru/stati/others/c55521af78976a8e27efea3b03ee8002-manupulyator-mosha.html>

<http://forum.nvrsk.ru/index.php?showtopic=294418&st=180>

<http://forum.nvrsk.ru/index.php?showtopic=294418&st=140>

<http://stophish.ru/fraud/view/1695> (the webpage was removed, but the link in Yandex search results is still there!).

<https://thclips.com/rev/юрий+моша+аферист>

<http://antimosha.blogspot.ru/>

<https://www.youtube.com/playlist?list=PLkDICFk8Sn8LUbenM1rX0RPpiaB9BpJ7U>

<https://www.youtube.com/watch?v=pzmzh5QPf5E>

<https://plclip.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1%88%D0%B0+%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0%D1%87%D0%B5%D0%BD%D0%B8%D0%B5%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%D0%BD%D0%B8%D0%BA%D0%B0/>

<http://portall.zp.ua/?c=video&q=%D1%8E%D1%80%D0%B8%D0%B9%20%D0%BC%D0%BE%D1%88%D0%B0%20%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0%D1%87%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%D0%BD%D0%B8%D0%BA%D0%B0>

<https://esclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1%88%D0%B0+%D0%B6%D1%83%D0%BB%D0%B8%D0%BA/>

<http://www.nofollow.ru/video.php?c=pzmzh5QPf5E>

<https://uaclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1%88%D0%B0+%D0%B0%D1%84%D0%B5%D1%80%D0%B8%D1%81%D1%82/>

<https://food-health->

[vika.com/video/pzmzh5QPf5E/%D0%AE%D1%80%D0%B8%D0%B9-](vika.com/video/pzmzh5QPf5E/%D0%AE%D1%80%D0%B8%D0%B9-%D0%9C%D0%BE%D1%88%D0%B0-%D0%B8-%D0%90%D1%80%D0%BA%D0%B0%D0%B4%D0%B8%D0%B9-%D0%91%D1%83%D1%85-D1%83%D0%BA%D1%80%D0%B5%D0%BF%D0%BB%D1%8F%D1%8E%D1%82-D1%82%D1%8B%D0%BB%D1%8B-%D0%BA%D0%B0%D0%B4%D1%80%D0%B0%D0%BC%D0%B8-%D0%B8%D0%B7-%D0%BF%D1%81%D0%B8%D1%85%D1%83%D1%88%D0%BA%D0%B8/)

[%D0%9C%D0%BE%D1%88%D0%B0-%D0%B8-](#)

[%D0%90%D1%80%D0%BA%D0%B0%D0%B4%D0%B8%D0%B9-%D0%91%D1%83%D1%85-](#)

[D1%83%D0%BA%D1%80%D0%B5%D0%BF%D0%BB%D1%8F%D1%8E%D1%82-](#)

[D1%82%D1%8B%D0%BB%D1%8B-](#)

[%D0%BA%D0%B0%D0%B4%D1%80%D0%B0%D0%BC%D0%B8-%D0%B8%D0%B7-](#)

[%D0%BF%D1%81%D0%B8%D1%85%D1%83%D1%88%D0%BA%D0%B8/](#)

[https://yandex.ru/video/touch/search?source=tabbar&filmId=153914](https://yandex.ru/video/touch/search?source=tabbar&filmId=15391403419421196493&text=юрий%20моша%20русская%20америка%20реальный%20отзыв)

[03419421196493&text=юрий%20моша%20русская%20америка%20реальный%20отзыв](#)

Отзыв

(Extracts from the websites are attached to the Complaint).

Plaintiff informed the Defendant that those allegations were distributed by Plaintiff's business competitors and opponents through Russian hacker with an intention to disparage the Plaintiff and destroy his business. He used different IP addresses to simulate postings of negative information about Plaintiff from different locations worldwide. As a result when entering Plaintiff's name in Russian language (spelled as "Юрий Моша") in Yandex Search string one gets abovementioned links to false and defamatory pages about Plaintiff.

There is not a shred of evidence provided in support of the foregoing false allegations against Plaintiff, yet Plaintiff cannot respond to those allegations because there are no real names, locations, dates.

Plaintiff is a respected business professional in the community. He has spent years serving the community and building a positive reputation. However, some of his competitors use dishonest methods for damaging his reputation and destroying his business by, for example, directing an army of internet trolls and hackers to post defamatory statements about him on different websites, often anonymously or under fake names. Particularly, his preliminary investigations revealed that the above-mentioned websites were created by Russian hacker with a purpose of blackmailing him and extorting money. For example, several times after Plaintiff asked those webpages authors to remove their false allegations, they blackmailed him, requesting to pay them a certain amount of money for removing the pages. After Plaintiff refused to pay them they promised to continue posting defamations against him (blackmailing letters are attached).

Moreover, some of the abovementioned negative content cyber-harassing and cyber-bullying me based on my national origin and religion. Particularly, it insults my Jewish nationality and religion invoking people to pursue and kill me and all other Jewish people:

Моша - жид пархатый, кидать людей поэтому у него в крови. Евреи все мошенники, такие как Моша. Этого Мошу и все его жидовское племя проклятое надо уничтожить. Иначе они нас всех по миру пустят./

Mosha is a cursed Jew, therefore it is in his blood to cheat and clean out people. All Jews are scammers, including Mosha. This Mosha and all his cursed Jewish tribe should be killed. Otherwise they will plunder us all (https://vk.com/topic-20420_31213778?post=100522 (in comments below)).

I tried to remove that content by contacting the uploaders and websites administration. But they ignored all my requests.

Unfortunately, according to my investigation some of those uploaders, invoking to kill me reside in New York, New Jersey and other US states, and, therefore pose a serious danger for me and my family. As a result I'm not only experiencing mental suffering because of their humiliations, insults and bullying, but also living in a constant fear of their pursuance and threats of physical injury. Also the content demeans me in the eyes of my family, friends, community and professional contacts. I'm seriously stressed, suffering insomnia and in a deep depression because of this entire situation.

7. Despite Plaintiff's written requests to remove said defamatory content from Yandex search results, which was used for blackmailing, the Defendant did not comply with those

reasonable and well-grounded requests. The illegal content is still searchable by Yandex search engine. Therefore, the content is keeping damaging Plaintiff and his business.

Plaintiff complains and for a first cause of action in libel alleges as follows:

8. Plaintiff repeats and re-alleges and incorporates by reference the allegations in paragraphs 1 through 7 above with the same force and effect as if herein set forth.

9. The described above statements in the webpages and other resources published by different people without privilege or authorization were false and defamatory.

10. By reason of the argued content, Plaintiff was greatly injured in his character and reputation, and suffered great pain and mental anguish, all to his damages.

11. Defendant is responsible for making the argued content searchable and spreading it this way. Ignoring the Plaintiff's requests Defendant is responsible for the continued damage mentioned above. Defendant is able to stop damaging Plaintiff by making the argued content unsearchable. Despite Plaintiff's written requests to remove said defamatory content from Yandex search results, which was used for blackmailing, the Defendant did not comply with those reasonable and well-grounded requests.

12. According to 18 U.S. Code Chapter 41 (EXTORTION AND

THREATS) extortion, threats, blackmail is a serious criminal offence. They are also considered to be a felony according to states laws even committed by means of internet. Therefore, I believe that the abovementioned content should be removed from Yandex search results and related search, which were used as instruments for crime by hackers.

13. This type of cyber-harassment and cyber-bullying are serious crimes. According to New York Penal Law § 240.21 - 240.32 "A person is guilty of harassment in the first degree when he or she intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts, which places such person in reasonable fear of physical injury." In addition, if harassment occurs because of race, religion, national origin the harassment can run afoul of Title VII of the Civil Rights Act or other federal anti-discrimination legislation.

14. Terms of Yandex Service Use state that "5.2. Upon using Yandex Service, the User shall not download, send, transmit or in any other way post and/or distribute any content that is illegal, harmful, slanderous, unethical or violates intellectual property rights, promotes hatred and/or racial, ethnic, sexual, religious or social discrimination or is insulting to any persons and/or organizations; violate third party rights

including underage people and/or cause harm in any way." In addition, according to Yandex Terms of Service Users shall not use the Site or the Services to: 3.2.1. upload, download, post, transfer, send, transmit, distribute, email, link to or make available in any other way (hereinafter – "Make Available") any images, photos, text, video, data, software, audio, sound, music, databases, links or other information (hereinafter – "Content") that is illegal, harmful, slanderous, unethical, defamatory, harassing, threatening or infringing upon intellectual property rights, rights of privacy or publicity of third parties, Yandex, Company and/or Partners, incites hatred, bigotry, racial, ethnic, sexual, religious or social discrimination or is insulting to any persons, groups and/or entities.

15. Plaintiff has no adequate remedy at law.

WHEREFORE, Plaintiff demands judgment against the Defendant in the form of permanent injunction removing from Yandex search results (stopping showing through the Yandex Search engine) the next content/links to the resources/pages/publications, containing false, defamatory, negative and humiliating information about Plaintiff - Yuriy Mosha (Юрий Момаш):

https://vk.com/topic-20420_31213778?post=100522

<http://rus017.livejournal.com/53881.html>

<http://newtimes.ru/stati/others/c55521af78976a8e27efea3b03ee8002>

-manupilyator-mosha.html

http://forum.nvrsk.ru/index.php?showtopic=294418&st=180

http://forum.nvrsk.ru/index.php?showtopic=294418&st=140

http://stophish.ru/fraud/view/1695

https://thclips.com/rev/юрий+моша+аферист

http://antimosha.blogspot.ru/

https://www.youtube.com/playlist?list=PLkDICFk8Sn8LUbemM1rX0RPpi
aB8BpJ7U

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https://plclip.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1%
88%D0%B0+%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0%D1%87%D0%B5%
D0%BD%D0%B8%D0%B5+%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%D0%BD%D0%B8%D0%
BA%D0%B0/

http://portall.zp.ua/?c=video&q=%D1%8E%D1%80%D0%B8%D0%B9%20%D0%B
C%D0%BE%D1%88%D0%B0%20%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0
%D1%87%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%
D0%BD%D0%B8%D0%BA%D0%B0

https://esclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1
%88%D0%B0+%D0%B6%D1%83%D0%BB%D0%B8%D0%BA/

http://www.nofollow.ru/video.php?c=pzmzh5QPf5E

https://uaclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1
%88%D0%B0+%D0%B0%D1%84%D0%B5%D1%80%D0%B8%D1%81%D1%82/

https://food-health-

vika.com/video/pzmzh5QPf5E/%D0%AE%D1%80%D0%B8%D0%B9-

D0 9C D0 BE D1 88 D0 B0 - D0 B8 -

D0 90 D1 80 D0 BA D0 B0 D0 B4 D0 B8 D0 B9 - D0 91 D1 83 D1 85 -

D1 83 D0 BA D1 80 D0 B5 D0 BF D0 BB D1 8F D1 8E D1 82 -

D1 82 D1 8B D0 BB D1 8B -

D0 BA D0 B0 D0 B4 D1 80 D0 B0 D0 BC D0 B8 - D0 B8 D0 B7 -

D0 BF D1 81 D0 B8 D1 85 D1 83 D1 88 D0 BA D0 B8 /

<https://yandex.ru/video/touch/search?source=tabbar&filmId=153914>

03419421196493&text=юрий 20моша 20русская 20америка 20реальный 2

0отзыв

And requiring Defendant to take any and all actions to remove negative, insulting content about Plaintiff from appearing in Yandex search engine results anytime on Plaintiff's written request in future.

Plaintiff complains and for a second cause of action in tortious interference with contract allege as follows:

16. Plaintiff repeats and re-alleges and incorporates by reference the allegations in paragraphs 1 through 15 above with the same force and effect as if herein set forth.

17. There is no dispute about the existence of business relationships between Plaintiff and existing and potential customers, as his business provide consulting and informational services helping immigrants to establish their roots in the United States.

18. Defendant was notified about the damage the

content was causing to Plaintiff's business reputation.

19. The argued content substantially interfered with current and prospective contractual relationships with Plaintiff's clients causing damages to Plaintiff's business.

20. The argued content will continue causing substantial monetary and reputational damages to Plaintiff.

WHEREFORE, Plaintiff demands judgment against First Defendant, for injunctive relief, compensatory and punitive damages in the amount of \$100,000 (one hundred thousand dollars), along with interests, costs, attorney's fees and such other and further relief as justice requires.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands relief as follows:

On the FIRST CAUSE OF ACTION Plaintiff demands judgment against the Defendant in the form of permanent injunction removing from Yandex search results (stopping showing through the Yandex Search engine) the next content/links to the resources/pages/publications, containing false, defamatory, negative and humiliating information about Plaintiff - Yury Moshá (Юрий Моша):

https://vk.com/topic-20420_31213778?post=100522

<http://rus017.livejournal.com/53881.html>

<http://newtimes.ru/stati/others/c55521af78976a8e27efea3b03ee8002>

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http://stophish.ru/fraud/view/1695

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https://www.youtube.com/watch?v=pzmzh5QPf5E

https://plclip.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1%
88%D0%B0+%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0%D1%87%D0%B5%
D0%BD%D0%B8%D0%B5+%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%D0%BD%D0%B8%D0%
BA%D0%B0/

http://portall.zp.ua/?c=video&q=%D1%8E%D1%80%D0%B8%D0%B9%20%D0%B
C%D0%BE%D1%88%D0%B0%20%D1%80%D0%B0%D0%B7%D0%BE%D0%B1%D0%BB%D0%B0
%D1%87%D0%B5%D0%BD%D0%B8%D0%B5%20%D0%BC%D0%BE%D1%88%D0%B5%D0%BD%
D0%BD%D0%B8%D0%BA%D0%B0

https://esclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1
%88%D0%B0+%D0%B6%D1%83%D0%BB%D0%B8%D0%BA/

http://www.nofollow.ru/video.php?c=pzmzh5QPf5E

https://uaclips.com/rev/%D1%8E%D1%80%D0%B8%D0%B9+%D0%BC%D0%BE%D1
%88%D0%B0+%D0%B0%D1%84%D0%B5%D1%80%D0%B8%D1%81%D1%82/

https://food-health-

vika.com/video/pzmzh5QPf5E/%D0%AE%D1%80%D0%B8%D0%B9-

D0%9C D0%BE D1%88 D0%B0-D0%B8-
D0%90 D1%80 D0%BA D0%B0 D0%B4 D0%B8 D0%B9-%D0%91 D1%83 D1%85-
D1%83 D0%BA D1%80 D0%B5 D0%BF D0%BB D1%8F D1%8E D1%82-
D1%82 D1%8B D0%BB D1%8B-
D0%BA D0%B0 D0%B4 D1%80 D0%B0 D0%BC D0%B8-%D0%B8 D0%B7-
D0%BF D1%81 D0%B8 D1%85 D1%83 D1%88 D0%BA D0%B8/

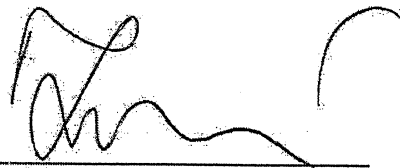
https://yandex.ru/video/touch/search?source=tabbar&filmId=153914
03419421196493&text=юрий%20моша%20русская%20америка%20реальный%2

ОТВЕТ

And requiring Defendant to take any and all actions to remove negative, insulting content about Plaintiff from appearing in Yandex search engine results anytime on Plaintiff's written request in future;

On the SECOND CAUSE OF ACTION Plaintiff demands judgment against Defendant, for injunctive relief, compensatory and punitive damages in the amount of \$100,000 (one hundred thousand dollars), along with interests, costs, attorney's fees and such other and further relief as justice requires.

Dated: 05/10, 2018
New York, NY


Yury Mosha
(646) 4770500
yurymosha@gmail.com

